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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,254	04/01/2004	Takumi Yoshida	58604-035	6949
20277	7590	09/06/2006	EXAMINER	
MCDERMOTT WILL & EMERY LLP 600 13TH STREET, N.W. WASHINGTON, DC 20005-3096			CULLER, JILL E	
			ART UNIT	PAPER NUMBER
			2854	

DATE MAILED: 09/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/814,254

Applicant(s)

YOSHIDA, TAKUMI

Examiner

Jill E. Culler

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,6,7,10,11,13 and 14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,6,7,10,11,13 and 14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2, 6-7, 10 and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,095,050 to Figov in view of EP0782106 to Brand et al.

With respect to claim 1, Figov teaches a coating material applying method for applying an image protecting coating material to a surface of a print, 42, including the steps of applying said image protecting coating material to said surface of said print by spraying said coating material thereto, said image protecting coating material being provided to protect an image on said print, wherein an area for image protecting coating material application is determined as a particular area on said print, determined based on image data forming said image on said print, said image protecting coating material being applied to said particular area by spraying said image protecting coating material selectively onto said particular area. See column 3, lines 57-64 and column 4, lines 15-18.

Figov does not teach the image protecting coating material is applied through a plurality of droplet spray nozzles, arranged transversely of said print, said image protecting coating material being applied selectively to said particular area by spraying

said image protecting coating material from droplet spray nozzles corresponding to said particular area among said plurality of droplet spray nozzles.

Brand et al. teaches a coating material applying method wherein the coating material is applied using plurality of droplet spray nozzles, 10, arranged transversely of the medium to be coated, wherein the coating material is sprayed selectively to a particular area from droplet spray nozzles corresponding to said particular area among said plurality of droplet spray nozzles. See column 4, lines 22-41.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the method of Figov to spray from selected ones of a plurality of droplet spray nozzles corresponding to a particular area, as taught by Brand et al., since one having ordinary skill in the art would recognize that the spray device of Brand et al. is one of many spray devices that could be used in the spray system of Figov to accurately apply the coating of Figov.

With respect to claim 2, Figov teaches the image protecting coating material is an ultraviolet-curable image protecting coating material, said image protecting coating material being cured by emitting ultraviolet light to said print after applying said image protecting coating material to said print. See column 4, lines 18-20 and 42-44.

With respect to claim 6, Figov teaches a image protecting coating material applying apparatus for applying a image protecting coating material to a surface of a print, 42, including means for spraying said image protecting coating material onto said surface of said print to apply said image protecting coating material thereto, said image protecting coating material being provided to protect an image on said print, and area

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determining means for determining an area for image protecting coating material application as a particular area on said print, said area determining means arranged to determine said particular area based on image data forming an image on said print..

See column 3, lines 57-64.

Figov does not teach the apparatus comprises a plurality of droplet spray nozzles for spraying said image protecting coating material on said surface of said print to apply said image protecting coating material thereto; moving means for moving said print relative to said droplet spray nozzles, or control means for selecting droplet spray nozzles corresponding to said particular area from among said plurality of droplet spray nozzles, and causing said image protecting coating material to be sprayed from said droplet spray nozzles selected.

Brand et al. teaches a coating material applying apparatus comprising a plurality of droplet spray nozzles for spraying coating material on the surface of a print to apply said coating material thereto; moving means for moving said print relative to said droplet spray nozzles, and control means for selecting droplet spray nozzles corresponding to said particular area from among said plurality of droplet spray nozzles, and causing the coating material to be sprayed from said droplet spray nozzles selected. See column 4, lines 22-41.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the method of Figov to provide spraying and control means as taught by Brand et al., since one having ordinary skill in the art would recognize that the

spray device and control of Brand et al. is one of many spray devices that could be used in the spray system of Figov to accurately apply the coating of Figov.

With respect to claim 7, Figov teaches that the image protecting coating material is an ultraviolet-curable image protecting coating material, said apparatus further comprising ultraviolet light emitting means for emitting ultraviolet light to said print after said droplet spray nozzles apply said image protecting coating material to said print. See column 4, lines 18-20 and 42-44.

With respect to claims 10 and 13 Figov teaches a printing machine for performing printing based on image data, comprising: a transport mechanism for transporting a print; image protecting coating applying means for spraying a image protecting coating material on said print transported; and area determining means for determining, based on said image data, an area for image protecting coating material application as a particular area on said print, wherein said area determining means is arranged to recognize an image area on said print from said image data, and determine said particular area to coincide with said image area, based on data inputted by an operator. See column 3, lines 24-41

Figov does not teach the applying means including a plurality of droplet spray nozzles arranged perpendicular to a direction in which said print is transported by said transport mechanism, or control means for selecting droplet spray nozzles corresponding to said particular area from among said plurality of droplet spray nozzles, and causing said image protecting coating material to be sprayed from said droplet spray nozzles selected.

Brand et al. teaches a coating material applying means comprising a plurality of droplet spray nozzles for spraying coating material on the surface of a print to apply said coating material thereto; and control means for selecting droplet spray nozzles corresponding to said particular area from among said plurality of droplet spray nozzles, and causing said image protecting coating material to be sprayed from said droplet spray nozzles selected. See column 4, lines 22-41.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the method of Figov to provide applying and control means as taught by Brand et al., since one having ordinary skill in the art would recognize that the spray device and control of Brand et al. is one of many spray devices that could be used in the spray system of Figov to accurately apply the coating of Figov.

With respect to claim 14, Figov teaches said image protecting coating material is an ultraviolet-curable image protecting coating material, said printing machine further comprising ultraviolet light emitting means disposed downstream of said image protecting coating applying means with respect to said direction in which said print is transported, for emitting ultraviolet light to said print. See column 4, lines 18-20 and 42-44.

3. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Figov in view of Brand et al., as applied to claims 1-2, 6-7, 10 and 13-14 above, and further in view of U.S. Patent No. 6,138,566 to Sakamoto.

With respect to claim 11, Figov and Brand et al. teach all that is claimed, as in the above rejection of claims 1-2, 6-7, 10 and 13-14 except platemaking means for making printing plates based on image data and printing means for performing printing by using said printing plates.

Sakamoto teaches a printing press having platemaking means for making printing plates based on said image data and printing means for performing printing by using said printing plates. See column 1, lines 53-57.

It would have been obvious to one having ordinary skill in the art at the time of the invention to use the invention of Figov as modified by Brand et al. with the invention of Sakamoto in order to be able to make and use printing plates in the same apparatus.

Response to Arguments

4. Applicant's arguments filed June 19, 2006 have been fully considered but they are not persuasive.

With respect to applicant's argument that Figov does not disclose that the coating system is controlled based on image data that has been used for the formation of the image, it is the position of the Office that this control is inherent in the invention of Figov. Figov states, in column 3 on lines 61-62, that the coating is applied "over the image and preferably in correspondence with the image area". The coating could not be applied in correspondence with the image area unless it was applied based on image data used for the formation of the image. Therefore, the teachings of Figov meet the requirements of this claim.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jill E. Culler whose telephone number is (571) 272-2159. The examiner can normally be reached on M-F 10:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

jec



REN YAN
PRIMARY EXAMINER